

MAGOON AT CAPITAL

Collecting Material for Final as Provisional Governor of Cuba.

FIGURING COST OF OCCUPATION

Document Will Be Submitted to the President in a Few Days.

ORATOR AT LINCOLN MEMORIAL

Congressman Pollard Fills Two Vacancies at Annapolis.

ALTERNATES ARE STILL WANTING

Senator Gamble Urges Expedition in Preliminary to Opening to Settlement of South Dakota Indian Lands.

(From a Staff Correspondent.)

WASHINGTON, Feb. 3.—(Special Telegram.)—Charles E. Magoon, who has returned from Cuba, called at the White House today to present his respects to the president and take up with the chief executive some matters having relation to his final report as provisional governor of the Gem of the Antilles. Governor Magoon has much of his final report in hand, but rather than submit it without one or two material items relative to the finances of the island and the amount of money paid out by the government of the United States during its provisional occupancy of Cuba, he decided to defer it in order to make his report as complete as possible.

The president will submit the report to congress and it will therefore become one of the important phases connected with Theodore Roosevelt's administration. Governor Magoon has not changed much since in Washington last winter. He has made a most creditable record in posts, which he has filled since coming to Washington from Nebraska as law clerk to the assistant secretary of war, George D. Meiklejohn. Governor Magoon will leave Washington on the 10th inst. for Florida, Ill., where he goes to attend the winter exercises planned in memory of Abraham Lincoln, where he will make a speech. From Florida Mr. Magoon will go to his old home in Lincoln and visit friends in Omaha until the inauguration, when he will return to Washington.

Two Named for Annapolis.

Congressman Pollard has two vacancies to fill at the Naval academy, a most unprecedented condition so far as these places go, but there are several more vacancies for which there are places to be filled. Having been informed by the secretary of the navy of the existing vacancies, Pollard today nominated Carl Chapman of Tennessee and Clarence Westover of Lincoln, principals for these two vacancies, but he could not send along the names of any alternates. Mr. Pollard has had from the first district for appointments to Annapolis. Naturally Mr. Pollard would like to have an alternate or two accompany his principal nomination for the reason that there are times when the principal fails in his entry examination and the alternate fills off the price.

Unless these positions are filled by March 4, the secretary of the navy will fill them without regard to the state from whom the candidate comes and in all probability Nebraska will lose a future admiral or two. If there are any young men from Nebraska who desire to enter the Naval academy now seems to be the opportune time.

Public Land Bills.

The house today passed the following bills introduced by Representative Mondell of Wyoming: Giving the secretary of the interior discretionary power to make necessary surveys of public lands and mark the boundaries of public lands remaining undisposed of; to declare and enforce forfeited all rights of water granted to railroads where actual construction has not actually been commenced after a period of five years has elapsed from the time the original grant was given such railroad.

The committee on public lands today made a favorable report on a bill introduced by Representative Kinkaid to grant to John T. Rivett the privilege of his option to make commutation of his quarter section homestead entry on which the town of Angola is situated to establish a town site.

Representative Kinkaid appeared before the committee on appropriations today to make an argument in favor of an appropriation of \$100,000 to purchase a strip of land containing 13,111 acres lying between the boundary of Fort Robinson reserve and the United States government forest reserve, now owned by private citizens. This proposition has the endorsement of the secretary of war. The strip is now owned by a number of private citizens who have agreed to sell for the aggregate amount mentioned. The government now holding an option on the property.

Hurrying Up Allotments.

Sensor Gamble this morning called on the secretary of the interior to urge that the utmost speed be exerted in preparing for the allotments on the Cheyenne and Standing Rock Indian reservations so these reservations will be in good shape for early opening to white settlement. He found that the work was progressing as expeditiously as could reasonably be expected, both in the field and in the offices here. He said that he thought from present indications that all the reservations would be worked out so that these reservations can be opened early this fall.

Mondell Attacks Forestry Service.

A severe attack on the forestry service of the Department of Agriculture was made in the house today by Mr. Mondell of Wyoming. He denounced it as the most autocratic bureau of government outside of Russia.

Mr. Mondell recalled the action of congress last year in an effort to oust the alleged press agents maintained by the bureau. He said the attempt had resulted in failure.

"And I notice that next year," he continued, "the forests are to be protected, waterway regulated and resources conserved by the purchase of \$24,824 worth of typewriters, \$15,000 worth of paper, \$22,000 worth of envelopes and \$7,000 for card indexes."

He ridiculed the appropriation of \$10,000 for the purchase of compasses, saying it was a joke in the west that the eastern college-made foresters must have guides when they enter a forest. Hope was expressed that the employees will see the \$10,000 appropriation for field glasses to use.

SUMMARY OF THE BEE

Thursday, February 4, 1909.

1909 FEBRUARY 1909	SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6		
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	
21	22	23	24	25	26	27	28

FORECAST FOR OMAHA, COUNCIL BLUFFS AND VICINITY—Fair Thursday, FORECAST FOR NEBRASKA—Fair Thursday.

FORECAST FOR IOWA—Fair Thursday, Temperature at Omaha yesterday:

Hour	Temp.
5 a. m.	36
6 a. m.	37
7 a. m.	38
8 a. m.	39
9 a. m.	40
10 a. m.	41
11 a. m.	42
12 m.	43
1 p. m.	44
2 p. m.	45
3 p. m.	46
4 p. m.	47
5 p. m.	48
6 p. m.	49
7 p. m.	50
8 p. m.	51
9 p. m.	52
10 p. m.	53
11 p. m.	54
12 m.	55

WASHINGTON.

Charles E. Magoon, provisional governor of Cuba, in Washington preparing his final report, which will be ready in a few days.

House devoted the day to general debate on the agricultural bill and wide variety of kindred topics.

Senator Teller made an extended speech on Senator Bacon's bill questioning the authority of the president to withhold official papers from congress.

Congressman Mondell of Wyoming in a speech in the house made a severe attack on the forestry service.

LEGISLATURE.

Democratic majority in both houses admits inability to draft a bank guaranty bill and is given permission to hire a lawyer.

Sink's bed sheet bill passes the house by a vote of 56 to 30, after a dramatic fight by Taylor and others.

FOREIGN.

Captain Qualtrough of the battleship Georgia was tried yesterday on the charge of intoxication. The pleadings will be made today.

Representative Burke makes a fight before the committee for his bill requiring large steamships to carry wireless equipment.

The entire western coast is stirred up by the fight in California and Nevada over the Japanese alien acts.

President-elect Taft has completed his trip across the canal zone and will begin the return trip Sunday.

LOCAL.

Local democrats are sore over the action of the legislative delegation in regard to taxation of service corporations.

Omaha to be the gateway for many thousands of people during the coming summer, owing to the numerous large gatherings in the west.

Ruling of Secretary Wilson on the blocking of flour from the west to the winter wheat states.

Judge holds up naturalization of man who is shown to be a wife-beater.

COMMERCIAL AND INDUSTRIAL.

Live stock markets. Grain markets. Stocks and bonds.

MOVEMENTS OF OCEAN STEAMERS.

Arrived	Left
NEW YORK.....Zealandia.....K. W. der Groene.	
NEW YORK.....Edinburgh.....Koonard.	
LONDON.....Edinburgh.....Koonard.	
BREMEN.....Brandenburg.....Koonard.	
EL PASO.....Edinburgh.....Koonard.	
MARSHALLS.....Edinburgh.....Koonard.	
TRIESTE.....Edinburgh.....Koonard.	
PALERMO.....Edinburgh.....Koonard.	
AGORA.....Edinburgh.....Koonard.	

SHOOTING IN DENVER STREET

Fred Walton, Prominent Odd Fellow of Wallace, Idaho, Killed by John H. Cradlebaugh.

DENVER, Feb. 3.—Fred Walton, former grand master of the Odd Fellows for the state of Idaho, was shot twice by John H. Cradlebaugh today and died shortly after being removed to the hospital. Both Cradlebaugh and Walton, Ida. and Cradlebaugh also is a prominent Odd Fellow. Walton was dying when the hospital was reached, but gasped out: "That man thought I stole his wife."

The shooting occurred on Sixteenth street, the principal business thoroughfare, and was witnessed by hundreds of shoppers. A wild rush for safety took place when the shots were being fired.

Cradlebaugh, according to Chief of Police Armstrong, called on the latter at police headquarters late last night and told him that Walton had run away from Wallace with his wife.

He did not want to cause a disturbance, but wished to recover his children, whom their mother had taken with her. Cradlebaugh, who was arrested immediately after the shooting, refused to make any statement.

LEWIS AGAIN HEADS MINERS

Present Incumbent Re-Elected Over Walker—Oskaloosa Man High for Secretary.

INDIANAPOLIS, Ind., Feb. 3.—The tellers who had since last December been canvassing the vote cast for national officials of the United Mine Workers, reported results to the convention today. Thomas L. Lewis is re-elected president by a majority of 16,380 votes over John Walker of Danville, Ill. Lewis received 52,027 votes and Walker 37,785. None of the candidates for vice president or secretary-treasurer received a majority of the votes cast and there was no choice for either of these places. This throws the election into the convention.

The vote on secretary-treasurer was as follows: Edwin Ferry, Oskaloosa, Ia., 42,735; John Faby, Pottsville, Pa., 42,392; George W. Hartill, Shamokin, Pa., 13,378; Joseph Pope, Belleville, Ill., 12,553; John Fog, Perth, Ind., 11,545. Necessary to choice, 71,885.

HEPBURN TO START CONTEST

Vote of Three Iowa Counties to Be Canvassed in Congressional Fight.

DES MOINES, Ia., Feb. 3.—Notice was served today on Congressman-elect W. D. Jamieson of the Eighth district by M. T. Temple, attorney for Congressman W. P. Hephburn, that the contest of election would begin at Centerville tomorrow and include the vote in three counties—Union, Appanoose and Page.

QUALTROUGH BEFORE COURT

Captain of Georgia Denies that He Was Intoxicated at Banquet.

TOOK BUT ONE GLASS OF SHERRY

Several Witnesses Testify that He Was Drunk and Unfit for Duty—Pleadings to Be Made Today.

GIBRALTAR, Feb. 3.—All the evidence in the court martial of Captain Edward Qualtrough of the battleship Georgia, on charges preferred by Rear Admiral Wainwright that he was under the influence of intoxicants at a reception given at Tangier by the American minister, Samuel R. Gummere, was presented today.

The hearing was held on the battleship Louisiana and a number of witnesses testified that Captain Qualtrough was intoxicated and unfit for duty. The accused officer, who took the stand in his own behalf, made a lengthy statement to the effect that he was ill and suffering greatly from fatigue and that he had only taken one glass of sherry and nothing afterwards. He had smoked a strong cigar.

Captain of Nebraska Testifies.

Lieutenant Z. H. Madison, chief engineer of the Georgia, Ensign Cook and Captain R. F. Nicholson of the Nebraska were the concluding witnesses for the prosecution. All testified that Captain Qualtrough at the reception following the dinner given by Minister Gummere, at which fifty or more people, including the foreign representatives, were present, appeared to be under the influence of intoxicants. In their opinion he was unfit for duty.

Rear Admiral Wainwright said Captain Qualtrough was smoking at the entrance to the ball room and he touched him on the shoulder and reminded him that there was a smoking room adjoining. There was, however, no direct testimony that Captain Qualtrough had drunk to excess or demeaned himself in a noticeable manner. Captain Nicholson, who went ashore with Qualtrough, testified that the latter had complained of feeling "very rocky."

Evidence for Defense.

Surgeon Crandall of the Georgia, one of the two witnesses for the defense, testified that Captain Qualtrough's physical condition was low and that he, therefore, was very susceptible to the action of liquor and tobacco.

The defense introduced as evidence the record of Captain Qualtrough's thirty-eight years' service and two flattering letters of recommendation received by him during the present cruise.

The pleadings will be made tomorrow, but the decision will not be officially given until it is finally approved.

In the meantime Captain Qualtrough will remain aboard the Georgia under arrest, not being allowed either on the bridge or the quarter deck.

The court is composed of Rear Admirals Schroeder and Potter, Captains Niles of the Louisiana, Hubbard of the Minnesota and Murdoch of the Rhode Island.

VEETOS NEW LIQUOR BILL

Tennessee Legislature, It Is Believed, Will Pass Measure Over Governor's Objections.

NASHVILLE, Tenn., Feb. 3.—Governor Patterson today vetoed the bill prohibiting the manufacture of intoxicating liquors after January 1, 1910. The veto message says:

"This legislature shall destroy all the distilleries and breweries, who cannot the next forbidding the raising of grain or cultivation of the grape, out of which liquors are made."

"Shall this or some future legislature prevent the farmer from raising or selling tobacco, or the manufacturer from placing it on the market?"

"If we are thus started where shall we end? It is better not to make the start."

It is a foregone conclusion that the bill will be passed over the governor's veto.

The prohibition bill was passed by the senate over the governor's veto this afternoon by a vote of 10 to 12. This message will not reach the house before tomorrow.

RUNAWAY TRAIN KILLS THREE

Milwaukee Stock Train Gets Away from Crew and Crashes Into Another.

CHILLICOTHE, Mo., Feb. 3.—Three trainmen were killed and one fatally injured early today when two stock trains on the Chicago, Milwaukee & St. Paul railroad collided head-on at Powersville, Mo., the last station this side of the Iowa line. From details received here it appears that one of the trains was a runaway, the crew having lost control of it. The dead: ENGINEER JOHN STIFF, Chillicothe, Mo.; FIREMAN JAMES BROWN, Ottumwa, Ia.; BRAKEMAN T. F. BELCHER, Ottumwa, Ia.

Engineer Tom Kent of Laredo, Mo., was fatally injured.

HONOR MEMORY OF LINCOLN

Governor of Kentucky Issues Proclamation Asking Observance of Birthday.

FRANKFORT, Ky., Feb. 3.—Governor Wilson today issued a proclamation to the people of Kentucky, calling on them to display the American flag and assemble in their respective communities to honor the memory of Abraham Lincoln on February 12, the 100th anniversary of his birth. The governor recommended that Lincoln's inaugural address and his Gettysburg oration be read at these meetings. The governor says the president of the United States will come from Washington to Kentucky that day to deliver an address at the farm on which Lincoln was born and other distinguished visitors from other states will also be present.

JONES KILLED IN QUARREL

Former Employee Arrested Following Murder of Prominent St. Louis Man.

ST. LOUIS, Feb. 3.—Clarence N. Jones, president of the Commonwealth Feed company, and a brother of Police Commissioner George P. Jones, was shot and killed in a quarrel in his mill at Second and Desoto streets here today. Herman A. Kretschmar, a discharged official of the company, was arrested and charged with the murder.

He asserted that he shot in self-defense. Jones died in the city hospital a few minutes after the shooting.

ANTI-JAP BILL STIRS COAST

Excitement Over Measure at Fever Pitch in California.

EXCLUSION IS SURE TO COME

This Is Assertion of the Western Press, Which Freely Criticizes Attitude of East for Its Hostility.

SAN FRANCISCO, Feb. 3.—With two nations stirred to a fever pitch over the anti-Japanese measures of two states the people of California are beginning to wake up and ask what it is all about.

The burst of the Nevada legislature was unexpected, but it has not caused a great deal of comment in this state, with the exception of the Asiatic Exclusion League no organization is engaging in the fight. But the fact that the state is so generally agreed as to the wisdom of the measure, which will remain aboard the Georgia under arrest, not being allowed either on the bridge or the quarter deck.

WOULD RAISE STANDARD FINE

Missouri's Attorney General Makes Suggestion on Offer of Oil Company.

JEFFERSON CITY, Mo., Feb. 3.—Attorney General Major today filed in the supreme court of the state a suggestion that if the court decides to have a hearing on the motion filed yesterday by the Standard Oil company of Indiana, that the state be allowed to be represented, either in oral arguments or by filing a brief. The document does not reveal the exact stand to be taken by the state, but it is thought that the attorney general will endeavor to have enforced the points agreed upon in last night's conference in the case at the executive mansion. These points in brief are:

"First, that there must be an increase in the fines levied against the company and its subsidiaries if the court is disposed to modify the decree of ouster, and

"Second, there must be some provision for effective supervision of the oil business by the state, whether along the lines suggested by the companies or otherwise."

"Governor Hadley and John Kennish, who was an assistant in the original prosecution, agreed with me that the state should leave the matter to the discretion of the court," said the attorney general today. "We wish to be represented, however, if a hearing is to be granted on the matter."

The attitude of the Waters-Pierce company has not yet been revealed here. The company has until February 15 to file a plea.

TAKT ALMOST FINISHES TASK

Inspection of Zone to Be Completed Today and Party Returns Sunday.

CULEBRA, Canal Zone, Feb. 3.—President-elect Taft will have completed his inspection of the entire line of the canal by this evening, for today he will visit and name the Pedro Miguel and Miraflores lock sites and the Pacific entrance to the waterway.

In the course of the afternoon Mr. Taft will receive at Culebra the members of the Isthmian Red Cross society.

Mr. Taft will leave Colon for New Orleans Sunday afternoon instead of Monday, as previously arranged.

The engineers of his party are today at Culebra examining data and reports concerning the work on the canal.

The engineers have decided to recommend that breakwaters be built from Colon and Point Tico, which will better protect the Caribbean entrance of the canal and form a safe harbor.

The cost of these breakwaters will be \$10,000,000, the same amount estimated in the old plan for a breakwater paralleling the channel.

The engineers are contemplating saving expense by a lower dam at Gatun than was originally planned. They will remain at Culebra tomorrow for the purpose of consulting data.

Pittsburg Police Trying to Stop Crimes Against Young White Girls.

PITTSBURG, Pa., Feb. 3.—One hundred and twenty-six negroes, who were arrested late last night and early today, following a carnival of crime against young white girls in the Herron hill district recently, were given hearings today.

Forty-three of them proved that they have honest employment and were discharged. Forty-two were fined in various amounts, varying from \$5 up and forty-one were held over pending further investigation.

During the last month over a dozen girls have been assaulted in the Herron hill district.

Large forces of police officers were stationed over the affected district to maintain order.

OFFICIALS AT TAFT BANQUET

Invitations Sent to President, Vice President and Sixteen Southern Governors.

NEW ORLEANS, Feb. 3.—Invitations to the Taft banquet to be given at the Hotel Grunwald on the night of February 12 have been sent to President Roosevelt, Vice President Fairbanks, the governors of sixteen southern states, and to a number of prominent editors, railroad officials and public men.

Elaborate arrangements for the reception of Mr. Taft upon his arrival on February 11 are being formulated.

CORN MEDICINE COSTS LIFE

Mrs. Minnie Hazard of St. Joseph Dies as Result of Blood Poisoning.

ST. JOSEPH, Mo., Feb. 3.—Mrs. Minnie Hazard, aged 54, wife of Captain M. F. Hazard, prominent in republican politics, died last night from blood poisoning, caused by using corn medicine. One leg was amputated several days ago in an effort to save her life.



"BON VOYAGE!"

From the New York Herald.

DEMOCRATS ASK HELP

Admit They Are Incapable to Draft a Bank Guaranty Bill.

PEERLESS ONE BADLY WANTED

As He is in Florida, Committees Look to Other Sources.

ASK POWER TO HIRE LAWYER

Resolution to that Effect Passed in Both the Houses.

MANY NAMES ARE SUGGESTED

Campaign Thunder Discovered to Be More Easily Manufactured Than Legislation to Make Good on Pledges.

(From a Staff Correspondent.)

LINCOLN, Neb., Feb. 3.—(Special Telegram.)—William J. Bryan, ex-Senator from Florida, please come back and draft a bill providing for the guaranty of bank deposits according to your campaign specifications. Signed,

DEMOCRATIC LEGISLATURE.

The house committee on banking admitted today it was unable to do the work.

The senate committee admitted it was not competent to draft the bill.

The admissions were made publicly. In the senate Donahoe introduced a resolution which was adopted, providing that the house and senate committees on banking hold joint sessions on the question and be empowered to employ competent legal talent to draft the bill.

In the house the same resolution was introduced and adopted except that Wilson cut from his carbon copy that portion about the employment of a lawyer to draft the bill. Wilson, himself, has a bill which he believes is equal to that designed by any lawyer or any other person.

So tonight the banking committees of the house and the senate met to talk over the situation, decide for certain whom to employ to do the work and get their bearings generally.

Several lawyers have been suggested for the job, among them former Supreme Court Commissioner Albert O. Columbus, Mike Harrington of O'Neill, Tom Allen of Lincoln and a half dozen others. The action of the two committees calling for help and admitting they were not competent to draft a bill in line with the democratic talk during the last campaign, while humiliating to the democratic majority in both houses was not a surprise to those who have been following the committees.

Wilson Has Eye to Economy.

When the joint committee met tonight the senate was represented by Donahoe and Volpp while there were nine members of the house committee present.

Donahoe informed the committee that the senate committee had agreed upon the Volpp bill but was not sure of its legal construction and therefore desired to employ legal counsel to look over the bill before reporting back to the house, and incidentally he wanted the endorsement of the house committee for the measure.

Wilson for the house committee admitted that he had looked over the part of the resolution presented in the house referring to the employment of legal counsel because he said: "It might have caused a rum-pus." The suggestion to cut it out, he said, was made by Speaker Cool, who said the committee would have the authority to employ counsel, anyhow.

Donahoe was not so sure of this and expressed himself as desiring the consent of the house to the employment of a lawyer so there would be no come back on his pay.

"Well, it would cost us \$1,000 to get a lawyer upon the authority of the house, when individually we might get the same work for \$100," answered Wilson.

Graff was elected chairman of the joint committee and both he and Donahoe favored employing the lawyer after the bill had been drafted, merely to straighten out the tangles and make it legal.

The committee decided tonight that the bill when it is framed should be known as the Volpp-Wilson bill. A subcommittee was named as follows to draft the bill: House, Graff, Bowman, Kuhl; senate, Miller and Donahoe.

The committee was instructed to consult with Governor Shallenberger regarding what lawyer it should employ to pass on the bill after it is framed. It was reported the governor had expressed himself in favor of Judge Albert O. Columbus. The committee after it decides upon a lawyer is to ascertain what he will charge and have the legislature ratify the choice and appropriate the necessary money to pay the bill.

Initiative and Referendum.

Miller of Custer county introduced in the house the much talked about bill for a proposed constitutional amendment providing for the initiative and referendum.

The bill provides that a petition signed by 5 per cent of the voters of the state filed with the secretary of state, asking for certain legislation, that officer shall submit the question to the voters. The petition must be filed four months before the general election and it shall contain a full text of the proposed legislation.